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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/864,008	05/23/2001	Eiichiro Kitagawa	1232-4717	1859
27123	7590	04/05/2005	EXAMINER	
MORGAN & FINNEGAN, L.L.P. 3 WORLD FINANCIAL CENTER NEW YORK, NY 10281-2101				SCHNEIDER, JOSHUA D
ART UNIT		PAPER NUMBER		
				2182

DATE MAILED: 04/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/864,008	KITAGAWA, EIICHIRO	
	<b>Examiner</b>	<b>Art Unit</b>	
	Joshua D Schneider	2182	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 16 December 2004.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-17 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-17 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 16 December 2004 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|  | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 1-17 have been considered but are moot in view of the new ground(s) of rejection.

### ***Specification***

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 5 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. With regards to claim 5, the limitation to a connection stack does not have any meaning out of the specification and is grammatically unsound. The limitation fails to make clear how a stack is used with regards to the apparatus.

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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6. Claims 1-4, 7-12, and 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant Admitted Prior Art (AAPA) in further view of U.S. Patent 5,315,705 to Iwami et al.

7. With regards to claims 1, 9, and 17, the AAPA teaches request generation means (Figs. 8 and 10, elements 202, 204, and S201), sending means for sending the request to the external control apparatus (Figs. 9 and 10, elements 205, 208, and 210), processing means for executing the request generated by said request generation means (Figs. 8, 9, and 10, elements 206, 207, and 211), memory for storing correspondence data of a request type and destination (inherent to request determination), and route determination means for sending the request generated by said request generation means to one of said sending means and said processing means with reference to the data stored in said memory (Figs. 8 and 10, element 205). The AAPA does not explicitly teach that the storing of the request type and destination data in a memory. The AAPA instead discusses the use of switching between host and local control modes, and depending on the mode routing requests for processing. Iwami teaches a destination control unit that includes a determination unit for determining the type of request, and an address management table for associating an address with a corresponding type of request (see abstract, Figs. 1, 2, and 8, column 1, line 37, through column 2, line 18). It would have been obvious to one of ordinary skill in the art at the time of invention to use the communication address determination of Iwami with the route determination of the AAPA in order to maximize efficiency and correctness in request transmission.

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8. With regards to claims 2 and 10, the AAPA teaches reception means for receiving commands from the external control apparatus, wherein the processing means executes the command (page 2, lines 1-8).

9. With regards to claims 3 and 11, the AAPA teaches update means for updating the destination stored in said memory (page 3, line 13, through page 4, lines 27).

10. With regards to claims 4 and 12, the AAPA teaches the updating of the routing destination on the basis of a command from the external control apparatus (page 3, lines 17-27).

11. With regards to claims 7, 8, 15, and 16, the AAPA teaches the depending of the destination stored in connection with the control mode status, the requests are sent are sent to either the sending or processing means.

12. Claims 5, 6, 13, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Applicant Admitted Prior Art (AAPA) and .S. Patent 5,315,705 to Iwami et al. as applied to claims 1-4, 7-12, and 15-17 above, and further in view of U.S. Patent 6,259,469 to Ejima et al.

13. With regards to claims 5 and 13, the AAPA teaches determining a mode through the use of control mode detection. The AAPA fails to explicitly teach the detection of the connection state to determine the request routing. Ejima teaches detecting the connection status, and in the apparatus is not connected, sends the request to the processing means (column 34, line 63, through column 35, line 7). This is helpful, because a host computer usually controls cameras when they are connected, as the interfaces are larger and generally allow for easier use. It would have been obvious to one of ordinary skill in the art at the time of invention to combine the connection detection of Ejima with the control mode switching of the AAPA in order to create an

automatic control system that requires less user action to achieve desired control mode switching.

14. With regards to claims 6 and 14. The AAPA fails to explicitly teach the detection of the connection state to determine the request routing. The AAPA does teach that the apparatus is initialized to a local control mode (page 3, lines 1-4). Ejima teaches detecting the connection status, and in the apparatus is not connected, initializes the data in the memory to process the data internally (column 34, line 63, through column 35, line 7). This is helpful, because a host computer usually controls cameras when they are connected, as the interfaces are larger and generally allow for easier use. It would have been obvious to one of ordinary skill in the art at the time of invention to combine the connection detection of Ejima with the control mode switching of the AAPA in order to create an automatic control system that requires less user action to achieve desired control mode switching.

### *Conclusion*

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patent 6,327,267 to Valentine et al. request type determination to determine the destination of requests.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua D Schneider whose telephone number is (571) 272-4158. The examiner can normally be reached on M-F, 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A Gaffin can be reached on (571) 272-4146. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JDS



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